### IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

HITUL GANDHI, Individually and on behalf of a class of others similarly situated, Plaintiff,	<i>-</i>	
VS.	§ §	CAUSE NO. A-08-CA-248-JRN
DELL INC., and DELL MARKETING USA, L.P., Defendants.	<i>\text{\tin}\text{\tint{\text{\tetx{\text{\tetx{\text{\text{\text{\text{\text{\text{\text{\texi}\text{\text{\ti}\\\ \ti}}}}}}}}}}} \eximiniminiminiminiminiminiminiminiminimi</i>	
CATHERINE L. DAVIS and TOMMY MOORE, Individually and on Behalf of Others similarly situated, Plaintiffs,	<i>-</i>	
VS.	§ §	CAUSE NO. A-08-CA-794-JRN (Consolidated)
DELL, INC. d/b/a DELL COMPUTER, INC., a Delaware corporation, DELL USA L.P., a Texas Limited Partnership and DELL MARKETING L.P., a Texas Limited Partnership, Defendants.	๛๛๛๛๛๛๛๛๛๛๛๛๛๛๛๛๛๛๛๛๛๛๛๛	

# NOTICE OF FILING CONSENT TO BECOME PARTY PLAINTIFF

PLEASE BE ON NOTICE, that Plaintiffs hereby file Notice of Filing Consent to Become Party Plaintiff form, attached hereto as Exhibit A, for the following individual class member:

1. John R. Fernando

**DATED:** May 29, 2009.

# Respectfully submitted,

# /s/ Allison B. Waters

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- and -

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#### **ATTORNEYS FOR PLAINTIFFS**

# **CERTIFICATE OF SERVICE**

I hereby certify that on this 29th day of May, 2009, a copy of the foregoing pleading was filed electronically with the Clerk of Court to be served by operation of the court's electronic filing system and by facsimile to all counsel of record.

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